

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

JULIANN KRECA, individually and as
Successor in Interest to THE ESTATE OF
MICHAEL E. KRECA. and MICHAEL
KRECA,

Plaintiffs,

v.

ELMER EDWARDS, SAMANTHA
FLEMING, WILLIAM LANSDOWNE,
CITY OF SAN DIEGO, and DOES 1-100,
inclusive,

Defendants.

Civil No. 06cv1789-L(AJB)

**ORDER GRANTING JOINT
MOTION TO CONTINUE HEARING
DATE**

On July 10, 2007 the parties filed a joint motion to continue hearing date on Defendants' summary judgment motion, which is currently set for July 23, 2007 at 10:30 a.m. This is the parties' second request to continue hearing date on the same motion. It is again based on the counsel's need to address the press of other business. The court no longer accepts this as a showing of good cause with respect to the same pending motion. The joint motion is granted based on the parties' representation regarding the unavailability of Plaintiff's use-of-force expert. In addition, the parties represented that they are working on "resolving at least some of the issues raised in the motion prior to the date of the hearing."

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1 For good cause having been shown, the parties' joint motion is **GRANTED**, and it is
2 hereby **ORDERED** as follows:

3 1. Consistent with the parties' representation regarding their efforts to resolve some of
4 the issues on their own, no later than **August 27, 2007**, the parties shall jointly file a statement of
5 undisputed facts and resolved legal issues. The statement shall reference the portions of the
6 moving, opposition, and reply briefs which are no longer in dispute, and include an account of
7 the parties' meeting and conferences leading to the resolution of the issues.

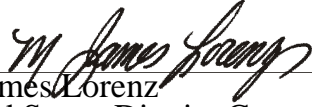
8 2. Plaintiff's opposition papers shall be filed and served no later than **August 13, 2007**.

9 3. Defendants' reply shall be filed no later than **August 20, 2007**.

10 4. The hearing on Defendants' summary judgment motion is continued to **September 4,**
11 **2007 at 10:30 a.m.**

12 **IT IS SO ORDERED.**

13
14 DATED: July 11, 2007

15 
16 M. James Lorenz
United States District Court Judge

17 COPY TO:

18 HON. ANTHONY J. BATTAGLIA
19 UNITED STATES MAGISTRATE JUDGE

20 ALL PARTIES/COUNSEL
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